DEPARTMENT OF TOXIC SUBSTANCES CONTROL

December 2004
Brownfields Workshop

Program Highlights

Statutory Authority: California Health and Safety Code, Chapter 6.8

Number of Projects: 319 active sites. 300 certified sites (includes those with ongoing operation and maintenance).

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DTSC's State Superfund Cleanup Program

DTSC's Site Mitigation and Brownfields Reuse Program oversees the cleanup of State Superfund Sites. State Superfund sites are also called Annual Workplan sites, listed sites, or Cortese List sites. These are sites with evidence of a hazardous substance release or releases that could pose a significant threat to public health and/or the environment. DTSC issues Orders to responsible parties to compel the clean up of these sites. Where no responsible parties can be found or where they do not take proper and timely action, the Department may use State funds to undertake the cleanup. If necessary, emergency actions may be taken.

Due to their known or suspected contamination, many of these sites become "Brownfields." The process used to address these sites is generally consistent with the National Oil and Hazardous Substances Contingency Plan (the "National Contingency Plan", NCP).

The cleanup process consists of the following steps:

- Order Issuance.
- Preliminary Endangerment Assessment (PEA) -The purpose of the PEA is to determine whether there has been a release of hazardous substances that could pose a threat to public health and/or the environment. If sufficient information and documentation exist, the PEA may not be necessary.
- Remedial Investigation - During this phase of work, the type and extent of contamination present at the Site is defined and the potential risks to public health and/or the environment are assessed.
- Feasibility Study - Cleanup goals are determined and feasible remedial options are evaluated in accordance with state and federal law. A method is recommended to address the contamination at the Site.
- Remedy Selection Document (i.e., Remedial Action Plan (RAP) or Removal Action Workplan (RAW)) - The purpose of the remedy selection document is to inform the public of the conditions at the site, the cleanup goals, the cleanup alternatives evaluated and the cleanup option proposed. The public can review and comment on the proposed cleanup action(s). The feasibility study and remedial design may be combined with the remedy selection document, if appropriate.
- Remedial Design - This is the engineering design for implementing the approved remedy.
- Implementation - The approved remedy is implemented.
- Certification - Once the approved remedy has been fully implemented and verified by DTSC, the site may be certified.
- Operation and Maintenance (if required) - In some cases, the approved remedy will require ongoing operation and maintenance, most notably at sites that have implemented extraction and treatment systems or rely on physical barriers such as a cap. Financial assurance to ensure ongoing operation and maintenance is required.
- Opportunities for Public Participation are an integral part of this process.